

### **SUPPORT FOR THE AMENDMENT**

Claim 1 has been amended to incorporate claims 11 and 12. Claims 2 and 3 have been amended to incorporate claim 11. Claims 4 and 5 have been amended to incorporate claim 12. The specification has been amended to clarify claim 8. No new matter has been added. Upon entry of this amendment, claims 1-5, 8 and 10 are present and active in the application.

### **REMARKS**

The objections to claims 1, 2, 3-5 and 10 over informalities have been obviated by appropriate amendment of the claims. The objections to claims 6, 7, 9, 11 and 13 are now moot in view of the cancellation of these claims.

The rejection of claim 8 under 35 U.S.C. 112, second paragraph, has been obviated by appropriate amendment to the specification. As regards the rejection of claim 13 under 35 U.S.C. 112, second paragraph, the claim has been canceled, thus rendering the rejection moot.

The rejection of claims 1, 3-6 and 9-11 under 35 U.S.C. 102(b) as being unpatentable in view of Hayashi et al. (Japanese Patent 10-334915) is respectfully traversed. Hayashi et al. does not teach the secondary batteries of the presently amended claims 1, 3, 5 and 10. In view of these differences, Applicants respectfully submit that claims 1, 3, 5 and 10 are not anticipated and that the rejection should be removed. The rejection of claims 6, 9, and 11 has been obviated by the cancellation of these claims.

The rejection of claims 1, 3, 6, 9, 13 and 14 under 35 U.S.C. 102(e) in view of Kitagawa et al. (U.S. Patent No. 6,403,259) is also respectfully traversed. Kitagawa et al. does not teach the secondary batteries of the presently amended claims 1 and 3. In view of these differences, Applicants respectfully submit that claims 1 and 3 are not anticipated and that the rejection should be removed. As regards claims 6, 9, 13 and 14, the rejection has been obviated by the cancellation of these claims.

The rejection of claim 2 under 35 U.S.C. 102(e) in view of Ryu et al. (U.S. Patent Appl. 2002/0006551) is respectfully traversed. Ryu et al. does not teach the secondary batteries of the presently amended claim 2. In view of these differences, Applicants

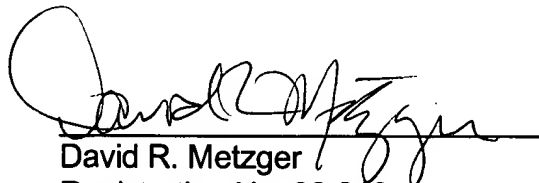
respectfully submit that claims 2 is not anticipated and that the rejection should be removed.

The rejection of claims 1, 2, 6-7 and 13 under 35 U.S.C. 102(e) in view of Yoon et al. (U.S. Patent No. 6,482,547) is also respectfully traversed. Yoon et al. does not teach the secondary batteries of the presently amended claims 1 and 2. In view of these differences, Applicants respectfully submit that claims 1 and 2 are not anticipated and that the rejection should be removed. As regards claims 6, 7, and 13, the rejection has been rendered moot by the cancellation of these claims.

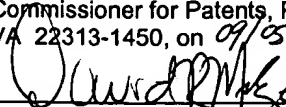
The rejection of claim 8 under 35 U.S.C. 102(e) in view of Yoon et al. is respectfully traversed. Yoon et al. is silent regarding the reform rate of graphite materials, and does not specify the reform rate of the materials it discloses. Thus, the reference is not anticipatory, and removal of the rejection is respectfully requested.

Applicants submit that the present application is now in condition for allowance. Early notice of such action is earnestly solicited, and an earlier Notice of Allowance is respectfully requested.

Respectfully submitted,

  
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<p>SONNENSCHN NATH &amp; ROSENTHAL LLP P.O. Box 061080 Wacker Drive Station, Sears Tower Chicago, IL 60606-1080</p> <p>Attorney Customer Number: 026263 Phn: (312) 876-8000 Fax: (312) 876-7934</p>	<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 09/05, 2003.</p> <p> David R. Metzger Date: 09/05, 2003</p>
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